

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

In re:	§	Chapter 11
	§	
HARDWOOD P-G, INC.,	§	
CUSTOM FOREST PRODUCTS, LTD.,	§	Case No. 06-50057-LMC
AND CUSTOM FOREST	§	
TRANSPORTATION, INC.	§	
	§	
Debtors.	§	Jointly Administered

HARDWOOD P-G, INC.,	§	
CUSTOM FOREST PRODUCTS, LTD.,	§	
AND CUSTOM FOREST	§	
TRANSPORTATION, INC.	§	
Plaintiffs	§	Adversary No. 06-5212 C
v.	§	
	§	
WRIGHT CAPITAL CORPORATION,	§	
Defendant	§	

**DEFENDANT'S MOTION & NOTICE OF
MOTION FOR SUMMARY JUDGMENT**

1. Defendant WRIGHT CAPITAL CORPORATION moves for an order granting final summary judgment on all issues, and all theories of recovery against the Plaintiffs HARDWOOD P-G, INC., CUSTOM FOREST PRODUCTS, LTD., AND CUSTOM FOREST TRANSPORTATION, INC.
2. Summary judgment is proper in this case because there is no genuine issue of any material fact and because Defendant is entitled to judgment as a matter of law. Specifically, Defendant is a creditor of debtors in this Bankruptcy. Defendant received payments on the promissory note executed by the Debtors which the Plaintiffs now seek to avoid as preferential payments. As allowed under 11 U.S.C.

§547(c)(2), these payments were in payment of a debt incurred by debtors in the ordinary course of the business or financial affairs of the debtors and Defendant; were made during the ordinary course of business or financial affairs between debtors and Defendant; and made according to ordinary business terms. Therefore, the trustee may not avoid such transfers as preferential payments. Furthermore, the Plaintiffs have no evidence that these payments are not ordinary course of business payments under 11 U.S.C §547(c)(2).

3. This motion is based on the Memorandum in Support of Defendants Motion for Summary Judgment, the summary judgment evidence, and all pleadings and papers on file.

Respectfully, submitted this 13th day of February, 2007.

/S/ Forrest B. McCray
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Certificate of Service

I hereby certify that a true and correct copy of this document was served on the parties below by electronic means on this 13th day of February, 2007.

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/S/ Forrest B. McCray